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REMARKS

Reconsideration of the above referenced application in view of the enclosed amendments and remarks is requested. Claims 1-20 and 29-35 have been cancelled. New claims 36-41 have been added. Claims 36-41 remain in the application.

ARGUMENT

Claims 1, 8, 15, and 29 are rejected under 35 USC 102(e) as being anticipated by Dengler, US Pat. No. 6,581,103.

These claims have been cancelled, therefore the rejection is now moot.

Claims 1-20, and 29-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dengler.

These claims have been cancelled, therefore the rejection is now moot.

New claims have been added to more particularly recite the present invention. Newly presented independent claim 36 recites the limitations of obtaining, by the first computer user, a play list for a media player application of a second computer user's computer system, generating an audio message file containing a message from the first computer user to the second computer user, selecting a dedication song file, selecting an insertion point in the second computer user's play list, and inserting references to the audio message file and the dedication song file into the second computer user's play list without interaction by the second computer user. These limitations require that a play list is obtained by a first user from a second user and the play list is modified by inserting the first user's message and dedication song at a selected insertion point.

The claimed embodiment is focused on a media player application scenario rather than the Internet radio scenario disclosed in Dengler. In Dengler's system, the first user merely submits a request for the Internet radio

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broadcast server to play a certain song along with the first user's message to the second user (i.e., another listener) sometime in the future based on a request queue. Dengler does not teach or suggest that a first user obtains the play list of a second user and modifies it without interaction by the second user as required by claim 36. Furthermore, Dengler does not teach or suggest that the modified play list will be processed by the second user's media player application without interaction by the second user (e.g., the dedication and message are a surprise to the second user). Hence, claim 36 is allowable as presented. A similar argument is applicable to independent claim 40.

With respect to claim 39, Dengler does not teach or suggest that the message may be rendered as a voice over. Therefore, claim 39 is also allowable.

CONCLUSION

In view of the foregoing, Claims 36-41 are all in condition for allowance. If the Examiner has any questions, the Examiner is invited to contact the undersigned at (503) 264-8074. Early issuance of Notice of Allowance is respectfully requested.

Respectfully submitted,

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